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Sustainability as Justifiability

1. Why is "sustainability" a contested concept?

Most philosophers are taught, just as I was taught, that any ambiguity in any concept whatsoever is philosophical fair game. The term "sustainability" is ripe with conceptual ambiguity. It practically pleads to be interrogated—to be contested, dismantled, investigated, and put back together again (like an intellectual hybrid of Humpty Dumpty and Mr. Potato Head) with no guarantee that the resulting configuration will be anything but a goofy amalgamation of ideas. Far from an intellectual's parlor game, however, the sustainability debate actually matters. It intersects with an enormous range of public concerns: business, governance, urban planning, daily livelihood, home economics, and so on. As a result, this is a complicated question. There are at least five answers I can give, each of which deserves its own treatment.

First, "sustainability" wasn't even a word until a few decades ago. Now it's an essential term in our vernacular, coloring almost everything we see, do, and buy. It's everywhere, so to speak, making it readily available for public interrogation, both inside and outside the academy. So that's maybe the first reason.

Second, a clear definition is vital. Depending on our definition of sustainability, we may end up with commitments that are morally, economically, or ecologically unacceptable. If we establish sustainability in primarily economic terms, as many want to do, sustainability standards can be met without much attention to justice or ecological concerns. If we assume instead perhaps a humanistic definition of sustainability, there are many technological innovations that could possibly satisfy the standards of a sustainability model without meeting any ecological demands.

Aggressive industrial agriculture, for instance, could feed millions while running roughshod over the rest of the animal and plant kingdom. If, by contrast, we define sustainability in ecological terms, there are ways for us to do what each generation can bear, but neglect the humanistic dimensions of sustainability. We might allow for massive human die-offs, simply to shrug our shoulders at the unsustainability of spaceship ethics (Hardin 1974). So the contestations over the meaning of 'sustainability' are really over what's in Pandora's Box.

I think those are the obvious answers. Sustainability is everywhere. It impacts a huge spectrum of people. And it's one of the few cases in which it really matters what work the concept does. Sustainability's ubiquity is amplified by its gravity. The less obvious answers are somewhat more political.

Third, many sustainability positions turn on a relatively narrow conception of the human relationship with the natural world, and in so doing, have crowded out debate from an entire body of literature that has been built up since at least John Muir. From the perspective of those who have been fighting the good environmental fight for a long time, the sustainability discourse offers little new, and much to be wary of. It is enticing to those who have no prior environmental commitments because many (though not all) variations on sustainability speak about resources, the use of resources, and about "ecosystem services." In turn, this appears to introduce environmental considerations into business and policy discussions that hadn't before taken the environment into account at all. From that perspective, it's very enticing. "Yes please! Ecosystems do provide us with quite valuable services. Let's live sustainably!" But many of these same sustainability views actually plaster over environmental considerations related to the non-service value of ecosystems, as well as the responsibilities that individual agents have to treat the non-human world with care. That's very distressing to a lot of environmentalists and environmental ethicists.

Fourth, apart from its real-world implications, the conceptual apparatus of most sustainability models legitimates a particular orientation toward right action; an orientation that depends in large part upon contingent and hypothetical imperatives: what we want, what will make us happy, what will increase our welfare, what will work, and so on. It presumes that the ethical discourse must occur along the axis of what will generate the best outcomes. In this sense, it simply supplants old debates about what is "best"

with debates about what is "sustainable." That too is distressing to some ethicists, like me.

Moreover, in its persistence on this particular orientation toward normative rightness, sustainability *proclaims and seizes* the moral high-ground, shutting out many other moral platforms. This phenomenon is made all the more intractable because the term 'sustainability' is ready-made for corporate branding. It implies all of the following: 'good', 'conservative', 'reasonable', 'rational', 'responsible', 'sensible', and so on. Who's gonna argue with that?

Which raises a fifth, very important, reason: it really matters to those to whom it matters. On top of the thorny theoretical issues, there are actual real-world political and economic forces at work shaping this debate. Architects, urban planners, business owners, politicians... everyone who will be affected by the definition of sustainability has more than a conceptual horse in this race. Sustainability is contested not just in the sense that it's unclear what is meant by it, but because there are vested interests jockeying for clarity on how it should be understood. There is money forcing the content of the discussion.

We haven't seen this in our other branches of applied ethics. It's not like the wheels of business are hard at work shaping the scholarly coverage of business ethics or that the powerful engineering firms are designing their company platforms based on the engineering ethics literature. Perhaps we've seen some intervention of pharmaceutical firms in the scholarly debate over bioethics, but we have not seen firms, to my recollection, take up the mantle of a new branch of ethics and *brand* themselves around its conclusions. Sustainability is the new corporate black... and just like black, it won't go out of style for a long, long time.

2. How is your preferred definition of sustainability better than alternative accounts?

One thing that grates against my intuitions is the extent to which the sustainability discussion revolves around the things we think are valuable. Almost all definitions of sustainability insist that we leave as much and as good enough for others, or something to that effect. But there's an underlying presupposition about value there, about the good, which I think often goes unstated. A lot of what I've been trying to focus on in my recent work is a view of environmental problems that distinguishes the environmental good from the environmental right. I've been centering on the

negative side of this equation, on the bad and the wrong, with the primary objective of decoupling environmental harm from pain, costs, and/or consequences. I think one can do wrong by the environment—that one can do wrong by others, even if those others may in fact be benefitted or made better by some action—and that this is more characteristic of environmental problems than that simple damage has been done.

For instance, it is common to suggest that some given act Φ is right if it brings about a better state of the world, or at least, that Φ -ing is permissible if it avoids a worse state of the world. In the case of environmentally-related actions, one might suggest that one should clean up toxic spills if they make the world better, but maybe not if it will be too costly. The thought here is that we can look at the balance of costs versus benefits and make a determination about what to do based on overall benefits, or in many cases, overall welfare. This is a very standard way of thinking about environmental issues, and it rears its head particularly aggressively, albeit slightly differently, in the sustainability debate.

Sustainability, at minimum, suggests that in satisfying our own needs, we ought not to sacrifice the needs of future generations. That's a rough recapitulation of the founding principle in the Brundtland Commission Report (Brundtland 1987). So where earlier environmental theories have focused on reducing harm to nature, or on making the world better, sustainability theories tend to suggest that our actions are permissible if they leave some features of the world in such shape that future generations will have them too. I'm using a broad brush here, but this is the basic idea.

If we read sustainability as requiring that we should tread lightly in the world, this may nevertheless depend heavily on an appeal to consequences. We should tread lightly in the world because, if we do not tread lightly, the consequences of doing otherwise will be grave. This sort of reasoning allows an escape from charges that we're being environmental villains, so long as we're responsible about leaving a small footprint, consequentially speaking. The problem I have—and it's an old problem, so I'm by no means the first to point it out—is that there are many repugnant ways to leave a small footprint. I can leave a small footprint by violating your rights, for instance. I can build my giant solar power plant in an area that is important to your tribe or that is a unique ecosystem.

Matter of fact, the criteria specified by almost all conceptions of sustainability can be met in all ranges of dystopia relatively

easily. There's no reason that we can't chop down the forest and plant more rapidly growing trees that will sustainably provide us with the wood we need. For that matter, we can mow down all of nature and live relatively sustainably. So that's one big problem: many conceptions of sustainability don't actually end up putting substantive limits on what can be done. The sustainability industry just paints a green smiley face on business as usual.

Add to this the following complication: internal to many ostensibly sustainable actions, there are always component actions which are not sustainable. Any time I use a non-renewable resource, for instance, I'm doing something that, in the longer term, is unsustainable. Depending on our level of specificity about resources, we can run into some extremely tricky problems. This much is inevitable. There is a finite amount of 1945 Chateau Mouton-Rothschild Jeroboam (currently priced at approximately \$115,000) in the world. Drinking such a bottle of wine is an unsustainable practice. Yet drinking wine is not unsustainable, which is as it should be. Everything else being equal, "wine is wine," whatever that means.

If we hope to develop a substantively robust theory of sustainability, of perhaps two or more non-substitutable goods, we're going to run into scarcity issues. It is important for us not to get terribly bogged down in any given level of specificity. At the same time, we have to be somewhat specific about what is valuable; otherwise all goods with a price are infinitely intersubstitutable.

I prefer to understand sustainability in terms of what can be justified to the full range of affected parties, by which I include non-human parties as well. Don't get hung up on the non-human part. It requires a lengthy explanation, better covered elsewhere: (Hale 2006, 2008, 2004, 2008, Hale and Grundy 2009). Sustainability finds its footing here because it suggests that those actions that are most sustainable are not those that leave no footprint, but those that could be justified to affected parties. Thing is, I think it is okay to adversely affect others, but that the others who are adversely affected need to agree to being affected in that way. Further, I'm not clear that it's okay to propitiously affect others, unless those others agree to being affected propitiously. Affected parties need to be involved in the determination of what is done to them on their behalf.

The basic idea takes its intuition from the discourse ethics of Jürgen Habermas (1994, 1991). In short, we need to allow for contextualized and particularized judgment to play a role in whatever

it is that's sustainable. That's not to say that sustainability will vary from year to year, from culture to culture. Rather, it is to say that a discussion about sustainability will require the judgment of rational and reasonable parties, and that this is an unfinished, ongoing project. It is from the input of affected parties that we can find our substantive norms and our specificity (Habermas 1995, 1998).

What I think my view, the adulterated discourse view, offers that the other views do not is a morally demanding alternative open to technical innovation and progressive development. I think it offers an alternative that is not beset with the same conceptual difficulties I mention above, as well as a view that is not dependent upon a steady-state picture of the world—one that idealizes nature or civilization as best left alone at all costs—keeping us spinning our wheels in zero-footprint paralysis. Nor does my view rely on a picture of the world that will or could possibly eventuate by taking certain actions. Rather, my view suggests that some policies may be the sorts of things that people could accept long into the future. It suggests that sustainable actions are those that have taken the concerns and needs of future generations into account. By offering a pragmatic criterion of justification, it turns on the standard of whether people could, actually and really, come to accept certain policies.

3. What is sustainability ethics, and how does it differ from more established forms of applied ethics, such as environmental ethics and business ethics?

Honestly, I don't see sustainability ethics (SE) as distinct from these other subfields, so much as concerned to iron out practical questions relevant to a large and growing niche of interdisciplinary researchers and practitioners. I also don't see the benefit of drawing distinctions between disciplines overly narrowly. I tend to draw the boundaries with wide strokes, at least so far as generalized stances are concerned. In sustainability ethics, there are still battles between, essentially, consequentialists and non-consequentialists, deontologists and virtue theorists, altruists and egoists. To play along, though, I think it may be more fruitful to look briefly at other applied niches. Hopefully this will illustrate why this new branch is important and how it can distinguish itself from its predecessors.

Take, for instance, two major branches of applied ethics: bioethics and environmental ethics. I consider myself an environmental

ethicist, and I have some pretty strong views about where environmental ethics has succeeded and where it has failed. I also dabble in bioethics. I look closely to bioethics for guidance on what to do with my work in environmental ethics. So let me talk about that first.

On one hand, as a relatively narrow subfield, bioethics has been enormously successful. The flagship journals—*Bioethics*, *the American Journal of Bioethics*, *the Hastings Center Report*, *the Kennedy Institute of Ethics Journal*, among others—enjoy wide circulation. The annual meeting of the American Society of Bioethics and Humanities (ASBH) boasts hundreds of participants. It's larger than the Eastern Division meeting of the American Philosophical Association, which is generally thought to be the largest annual gathering of philosophers anywhere. Bioethicists have seats and positions on most hospital and university institutional review boards (or IRBs). They are frequently employed by medical researchers as consultants on research projects. Many universities and medical schools have their own institutes, centers, and sometimes even departments, dedicated to the study of bioethics. And it continues to be enormously appealing to a wide audience. By many measures, bioethics has been a smashing success.

On the other hand, you wouldn't know this by speaking with philosophers in traditional philosophy departments. Bioethicists are the frequent butt of jokes around traditional departments, sometimes even by other bioethicists. In becoming so important to everyone else, in taking up issues that are extremely practical and not terribly abstract, bioethics has been marginalized by philosophical mainstream, by the purists.

Perhaps partly as a result of this hostile reception, the environmental ethics community exhibits somewhat of the reverse trend. Unlike bioethics, environmental ethics has remained focused on esoteric issues of extraordinary abstraction, dealing with questions about value, holism, anthropocentrism, and so on. Where bioethics has enjoyed considerable success—enough to enable it as a self-sustaining disciplinary niche—environmental ethics, after thirty years, continues to just limp along. It is comparatively very small. There are only four flagship journals, all with relatively constrained circulation. The annual meeting of the two major environmental philosophy groups—the International Society for Environmental Ethics (ISEE) and the International Association for Environmental Philosophy (IAEP)—boasts an average

of 25 participants per year. There is only one department in the continental United States that claims as its core emphasis environmental philosophy, and that department is somewhat removed from the mainstream of philosophy. For a niche that should be riding high on the wave of the so-called "green" revolution, it continues to fall short of its promise.

The irony is that even with this emphasis on more abstract questions, environmental ethics hasn't entirely been showered with love from the philosophical purists either. When I speak with traditionally trained philosophers, who are responsible for teaching an undergraduate course in environmental ethics, they often express confusion and concern. The material doesn't seem serious to them.

The central point here is not to praise one branch of philosophy and chastise another, but rather to observe how different sets of scholars have responded to external pressures. The bioethicists have largely thumbed their noses at the purists and gone on to do their own thing. The environmental ethicists have largely capitulated to the pressures from the purists and sought legitimacy within their own community. In both cases, the pressures remain. In both cases, legitimacy lies out of reach. Philosophical purists and traditionalists will never be satisfied with applied work. The real world is sloppy. It's imprecise. It's politicized. It doesn't come pre-packaged in neat and tidy counterfactuals. And the purists are, well, purists. They self-select out of applied issues.

Which brings me to this answer: what is sustainability ethics? At present, it's the steam engine that is pushing environmental ethics from the Kafkaesque roundhouse of academic philosophy onto the same express track that has propelled bioethics to practical relevance. Environmental ethics has always taken as its core concern questions about nature and the environment proper. As it has matured, however, it has shifted to cover broader questions, about how we can live on this planet without doing irrevocable damage. In a way, that's the core question of sustainability ethics.

4. What unique contributions can the discipline of philosophy make towards enhancing our understanding of what sustainability is and how sustainable goals can be accomplished?

Every one of our actions has some impact on the world. When I pull a product off the shelf, I don't simply make a choice to purchase the product, I make a commitment, however tiny, to a

particular way of life. That's as true for small purchases as it is for larger purchases. As a matter of fact, that's true for non-commercial actions as well. If I help a stray kitten, I endorse a point of view that attributes standing to that kitten. Since philosophy is concerned primarily with the assessment, defense, and scrutiny of first principles, and since it takes the argument as its basic unit of scholarship, philosophy can help environmental policy makers, consultants, scientists, and planners clarify their principles, values, and objectives—it can help unveil the commitments that underlie their actions. It can help guide people toward laudable goals, and help identify when they have gone off the rails.

Consider that almost all of the variations on sustainability discussed in this volume employ suppositions that must be interrogated. Philosophers are good at interrogating. This is what we do. What we are bad at is being a part of external discourses. I mentioned above that the purists have exerted disproportional pressure on applied philosophers by requiring (perhaps inadvertently) that scholarship maintain the standards and format that have been set by our intellectual forbears. It doesn't need to be this way.

Here's what I think should happen. The applied and sustainability ethics community needs to take the initiative on this. We need to develop practical channels that open dialogue on the values concerns that assail those in other disciplines. For too long, the mainstream academic philosopher has thought of her job as akin to that of an anthropologist: saddled with the task of unearthing and analyzing paradoxes. The findings of such a narrow excavation project are of interest only to a small, select few. Philosophers can and should shift the emphasis of their research from the view that we are somehow excavators of knowledge, niggling away at the fine details, to instead understand ourselves as interpreters and analysts of underlying commitments. We should see our job as that of offering insight; of doing so with people other than ourselves. Thinking of ourselves this way re-introduces the pedagogical and educational dimension back into academic philosophy. Sure, "knowledge" and "true belief" has always been a mainstay of philosophy, but philosophy more technically is a "love of wisdom," which involves quite a bit more than knowledge. It involves *clarity* and *insight*.

Simultaneously, we need to persuade our purist colleagues that there is room enough for all of us. There's no reason that the purists need to abandon their interest in abstract theoretical ar-

guments. Philosophers can and should continue to endorse and defend concepts and principles, just as we always have. Yet we also need to allow that philosophy's role is partly social; and that the clarity offered by philosophical analysis can be put to good use by people outside of philosophy.

So that's my procedural answer. Now to my substantive answer.

5. What are the most important topics of future inquiry that sustainability theorists need to investigate?

Ethicists have for many years been focusing on a narrow set of general questions: about whether it is permissible to harm animals, for instance, or whether trees have moral standing. This has translated into a relatively small body of literature that offers a direct prescription for, on one hand, individual action, regarding whether one should be a vegetarian, or whether one should drive a hybrid; or, on the other hand, for government action, regarding, say, whether it is permissible to torture, or when a war is just. The sustainability debate is somewhat different because it's not only the objectives that are vague—what would it mean to be sustainable?—but the policy prescriptions as well—how can we be sustainable? Philosophers can and should begin to focus on the tools of sustainability policy. I think it is the most egregious oversight of applied ethics to neglect these questions.

Just as a justification for punishment does not justify a particular punishment, so too is the case with the sustainability discourse. A *pro*-scription on overconsumption does not translate into any particular *pre*-scription to avoid overconsumption. Philosophers must begin to be involved not simply in the identification of ends and principles worth pursuing, but also in the isolation of means of pursuing those ends.

Peter Singer's great contribution with *Animal Liberation* was to address the animal industry head on, to take it seriously, to offer facts as well as theory; but to do so with the caution, care and precision that is part of deeper philosophical analysis. He made this major contribution by not being afraid to get his hands dirty. Other philosophers can follow his lead. They can seek insight into the underlying suppositions and impending tensions embodied by specific policies. Take energy policy, for instance. Yesterday's sustainable commitment to corn ethanol has demonstrated itself to be not quite the ecological panacea that it once promised to be. Now the corn industry is a political behemoth, almost as immovable as big tobacco. Philosophers can address questions about

what's wrong with introducing perverse incentives, whether there are discrete justice issues associated with industrial agricultural production of feed corn versus fuel corn, and more. Any questions about a particular policy and approaches will be a massive over improvement over applied philosophy as it is currently done. With sustainability, the questions are endless: Should we subsidize new urbanism? Is the Clean Air Act overly coercive? Does geoengineering generate a moral hazard? Is there anything wrong with information asymmetries in organic farming? And so on.

These are all deep normative questions embedded in practical concerns that the philosopher can assess, all of which have ongoing pertinence to those outside the philosophical community. It is our job, the philosopher's job, to identify these normative dimensions, unravel them, and help make sense of them.

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1. Why is "sustainability" a contested concept?

Sustainability is a contested concept for both conceptual and pragmatic reasons. There are multiple plausible conceptions of sustainability, some focusing on how long something must persist in order to be sustainable, others focusing on what is to be sustained. For example, if sustainability requires that what is being sustained must potentially last forever, then any use of non-renewable resources is unsustainable. But if forever is not the correct benchmark for sustainability, then what is? It is clear that gobbling the last cupcake is not a sustainable use of cupcakes, but what then is the proper time horizon for sustainability that is somewhere between? There are also questions about what is to be sustained. Are we supposed to sustain "natural capital" (so-called "strong sustainability"), well-being (so called "weak sustainability"), or something else, such as resources (e.g., cupcakes)?

Sustainability is contested for pragmatic reasons because it is a concept that is often deployed in attempts to seize the normative high ground. If a practice can be praised as sustainable, that is a reason to engage in it. If it can be condemned as unsustainable, that is a reason to forgo it. For example, if recreational uses of the public lands are sustainable, that is a reason to allow them; if logging is unsustainable, that is a reason to forbid it. Of course, sustainability, though it provides a powerful reason for allowing something or not, is still only one reason among others. Sustainability can be trumped by other, more powerful considerations. Furthermore, whether recreation or logging are regarded as sustainable or not depends not only on how these activities are carried out, but also on what we mean by the term 'sustainable'. How goes the meaning of the term, so goes a reason to allow the activity or not.